UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TIQUAN HAMILTON,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

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STIPULATION AND ORDER OF SETTLEMENT OF ATTORNEYS' FEES, COSTS AND EXPENSES

13 CV 2258 (ENV)(CLP)

WHEREAS, plaintiff Tiquan Hamilton commenced this action by filing a complaint on or about April 12, 2013 alleging violations of his constitutional rights; and

WHEREAS, defendants have denied and continue to deny any and all liability arising out of plaintiff's allegations; and

WHEREAS, plaintiff Tiquan Hamilton assigned his right to attorneys' fees, costs, and expenses to his counsel, Samuel Cohen; and

WHEREAS, counsel for defendants and counsel for plaintiff now desire to resolve the issue of attorneys' fees, costs, and expenses without further proceedings;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York shall pay to plaintiff's counsel, Samuel Cohen, Esq., the sum total of Six Thousand Five Hundred ($6,500.00) Dollars in full satisfaction of plaintiff's attorneys' fees, expenses, and costs. Counsel for plaintiff hereby agrees and represents that no other claims for attorneys' fees, costs, or expenses arising out of this action

shall be made by or on behalf of plaintiff Tiquan Hamilton in any application for attorneys' fees, costs, or expenses at any time.

2. In consideration of the payment of Six Thousand Five Hundred ($6,500.00) by the City of New York, counsel for plaintiff does hereby release and discharge the defendants City of New York and Police Officer Trevor Barton; their successors or assigns; and all past and present officials, employees, representatives and agents of the City of New York, or any agency thereof, from any and all claims of attorneys' fees, expenses and costs which were or could have been alleged in the aforementioned action.

3. Nothing contained herein shall be construed to be an admission of liability by any defendants or the City of New York, nor an admission that any of the allegations made by plaintiff are true or that defendants in any way violated any rights guaranteed to plaintiff by any constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, the City of New York, or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This Stipulation and settlement shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

4. This Stipulation and Order contains all the terms and conditions agreed upon by the counsel for defendants and counsel for plaintiff hereto, and no oral agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of attorneys' fees, costs, or expenses shall be deemed to exist or to vary the terms and conditions contained herein.

Dated: New York, New York

December 2, 2013

Stecklow, Cohen & Thompson
Attorneys for Plaintiff Tiquan Hamilton
10 Spring Street, Suite 1
New York, NY 10012

By: ______________________
Samuel Cohen, Esq.

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendants City of New York and Police Officer Trevor Barton
100 Church Street
New York, New York 10007
(212) 356-2322

By: ______________________
Daniel Passeser

SO ORDERED:

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HONORABLE ERIC N. VITALIANO
UNITED STATES DISTRICT JUDGE